

REC'D

DEC 07

MATRIX  
SERVICE

Box 500/4M

1623

PATENT

Docket No. 337462000600

Client Ref. No. BMID 9619/US

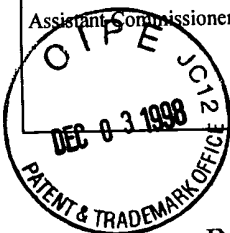
#10/A

3-25-99

Shore

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on November 30, 1998.



November 30, 1998

Date

Tiffany Dolmseth

Tiffany Dolmseth

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Mark M. Richter *et al.*

Serial No.: 09/074,472

Filing Date: 07 May 1998

For: ASSAYS EMPLOYING  
ELECTROCHEMILUMINESCENT LABELS  
AND ELECTROCHEMILUMINESCENCE  
QUENCHERS

Examiner: M. Moran

Group Art Unit: 1623

90 DEC -9 11:10:49  
GROUP 180

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR  
PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the "Notice to Comply with Requirements for Patent Applications  
Containing Nucleotide Sequences and/or Amino Acid Sequence Disclosures" mailed  
04 November 1998 (copy enclosed), Applicants submit the following Sequence Listing,  
Amendments and Remarks.

## AMENDMENTS

### In the Specification:

On page 59, line 10, after "oligonucleotide" insert --(SEQ ID NO:1)--;

line 10, after "below" insert --(SEQ ID NO:2)--;

On page 61, line 17, after "below" insert --(SEQ ID NOS:3-5)--;

On page 62, line 7, after "below" insert --(SEQ ID NOS:6-8)--;

On page 64, line 22, after "oligonucleotides" insert --(SEQ ID NOS:9-12)--; and

On page 66, line 5, after "probes" insert --(SEQ ID NOS:13-16)--.

After page 70, and before page 71, please insert new pages 70-1 through 70-9  
(9 pages in total), on which appear the "Sequence Listing."

## REMARKS

The enclosed printed "Sequence Listing" (appearing on 9 pages numbered 70-1 through 70-9) is identical to the Sequence Listing submitted in machine-readable form.

This paper is submitted to comply with the United States Patent Office rules governing gene sequences.

No new matter is added.

In the unlikely event that the transmittal letter is separated from this sequence listing and the U.S. Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the

filing of this sequence listing to our Deposit Account No. 03-1952 referencing docket number 337462000600. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

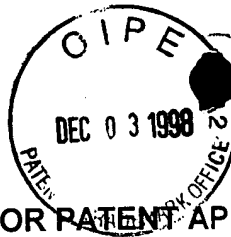
Respectfully submitted,

Dated: November 30, 1998

By:

Sean M. Brennan  
Sean M. Brennan  
Registration No. 39,917

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5741  
Facsimile: (650) 494-0792



1623  
Application No.: 09/074472

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

7. Other: \_\_\_\_\_

### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216  
For CRF Submission Help, call (703) 308-4212  
For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**